

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

MERCHANT CAPITAL, LLC and)
NEW SUNSHINE, LLC,)
)
Plaintiffs,)
)
)
v.)
)
MELANIA MARKS SKINCARE, LLC,)
)
Defendant.)

CAUSE NO.: 1:13-cv-00873-JMS-DML

PLAINTIFFS' FINAL EXHIBIT LIST

Plaintiffs Merchant Capital, LLC and New Sunshine, LLC, by counsel, for their Final Exhibit List, state the following:

1. The License Agreement at issue in this matter, including all drafts and other variations of the final executed version;
2. The documents marked and used as exhibits in the depositions taken in this matter;
3. Any and all communications between representatives from New Sunshine, LLC and representatives from Melania Marks Skincare, LLC related to the License Agreement;
4. Any and all communications between representatives from Melania Marks Skincare, LLC and Stephen and/or Tomisue Hilbert related to the License Agreement;
5. Any and all documents relating to any agreements between Melania Marks Skincare, LLC and all retail outlets relating to the products referenced in the License Agreement;
6. Any and all documents relating to promotion of the products referenced in the License Agreement;

7. The June 4, 2012 letter from Merchant Capital to Stephen Hilbert;
8. The June 26, 2012 letter from Merchant Capital to Stephen Hilbert;
9. Any and all documents, discovery, and pleadings relating to lawsuit pending in the Circuit Court of Eau Claire County, Wisconsin under *Merchant Capital, LLC, et al. v. MH Equity Managing Member, LLC, et al.*, Case No. 12 CV 734;
10. Curriculum vitae of Eric Rosenstrauch;
11. Any documents, photographs, diagrams, charts, and/or other information relied upon, referenced, utilized, or created by Eric Rosenstrauch;
12. Communications between the parties in 2013 regarding New Sunshine's settlement overtures and Melania Marks' responses to those overtures;
13. News articles regarding other business dealings between the Hilberts and the Trumps;
14. Documents regarding the sale of Le Chateau des Palmiers;
15. Any and all exhibits necessary for impeachment or rebuttal purposes;
16. Any and all discovery responses or materials listed, obtained, submitted, and/or used in discovery or at trial as exhibits by any party to this action;
17. Transcripts from all depositions taken in this case;
18. Any and all pleadings in this case; and
19. Any exhibit identified by any of the parties.

Respectfully submitted,

/s/Jerry M. Padgett
Jerry M. Padgett (#27282-49)
One of the Attorneys for Plaintiffs,
Merchant Capital, LLC and New Sunshine,
LLC

Kevin C. Tyra, #11883-49
Jerry M. Padgett, # 27282-49
THE TYRA LAW FIRM, P.C.
355 Indiana Ave.
Indianapolis, IN 46204
Telephone: (317) 636-1304
Facsimile: (317) 636-1343
kevin.tyra@tyralaw.net
jerry.padgett@tyralaw.net

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of October, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

Norman T. Funk
Libby Y. Goodknight
Bryan S. Strawbridge
KRIEG DEVAULT LLP
nfunk@kdlegal.com
lgoodknight@kdlegal.com
bstrawbridge@kdlegal.com

/s/ Jerry M. Padgett
Jerry M. Padgett